

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§	Case No. <u>20-30599</u>
	§	(Chapter 7)
Debra Denese Williams,	§	
	§	
Debtor.	§	

**DEBTOR’S OPPOSITION TO MOTION FOR RELIEF FROM STAY REGARDING
EXEMPT PROPERTY FILED BY MIDFIRST BANK**

NOW COMES debtor Debra Denese Williams (“Debtor”) and hereby files this Opposition to the Motion for Relief from Stay Regarding Exempt Property filed by Midfirst Bank (“Motion”), in connection with Debtor’s residence, the real property located at 24639 Lakecrest Bend Drive, Katy, TX 77493 (“Residence”). The Motion is based on the grounds that Debtor failed to make pre-petition payments in the amount of \$12,866.30 to movant Midfirst Bank (“Movant”).

Debtor opposes the Motion because she intends to and believes she has the financial means to propose a Chapter 13 Plan which will cure the arrears owed to Movant within 60 months as well as continue to make ongoing mortgage payments. Debtor has filed a motion to convert this case to a chapter 13 on 03/03/2020 (docket #16).

Per the Debtor’s schedules, the Debtor has approximately \$100,764.00 in equity in the Residence. The Residence is necessary for an effective reorganization. Debtor intends to file a plan of reorganization that requires use of the Residence. The Residence will be fully provided for in the chapter 13 plan.

Counsel for Debtor has discussed possible resolution of this Motion with counsel for Movant. Counsel for Movant is open to continuing this Motion pending the outcome of Debtor’s

motion to convert to a chapter 13. In addition, counsel for Movant has indicated that they would agree to an Adequate Protection Order to address any possible post-petition arrearage.

As such, the Debtor respectfully requests that the Motion be denied.

Date: March 10, 2020

/s/ Nicholas M. Wajda
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